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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 223/2016**

RAJINDER GHOGRA Petitioner

Through Mr. Dhan Mohan, Advocate

versus

THE STATE GOVT OF NCT OF DELHI Respondent

Through Ms. Neelam Sharma, APP for the State

Mr. K B Upadhyay, Advocate for the
Complainant.

+ **BAIL APPLN. 768/2016**

PANKAJ KUMAR VERMA Petitioner

Through Mr. M S Ahluwalia, Advocate

versus

STATE OF NCT OF DELHI & ANR Respondents

Through Ms. Neelam Sharma, APP for the State

Mr. K B Upadhyay, Advocate for the
Complainant

+ **BAIL APPLN. 1226/2016**

MUKESH SOOD Petitioner

Through Mr. M S Ahluwalia, Advocate

versus

STATE OF NCT OF DELHI & ANR Respondents

Through Ms. Neelam Sharma, APP for the State

Mr. K B Upadhyay, Advocate for the
Complainant

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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26.07.2016

Complainants are the mother, wife, daughter of Late Faiz Murtaza
Ali. One Rohini Wahi @ Ruhani Ali claimed herself to be the second wife

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of Late Faiz Murtaza Ali and has propounded a Will dated 14.04.2013 of Late Faiz Murtaza Ali.

It has been admitted during the course of hearing by the counsel for the complainant as well as learned APP that various civil litigations are pending between the complainants and Ruhani Ali in Palampur Court and Saket Courts, Delhi.

The complainants have also filed a suit for declaration under Saket Court, Delhi, praying therein that the said Will be declared null and void being a forged document. It has also been admitted that none of the petitioners are beneficiaries in the Will.

Learned counsel for the petitioners submits that petitioner Rajinder Ghogra was the Advocate of Late Faiz Murtaza Ali, who had executed *Vakalatnama* in favour of Rajinder Ghogra in some of the litigations. Rajinder Ghogra was not a stranger to Late Faiz Murtaza Ali, as has been projected in the investigation.

It is further submitted that Rajinder Ghogra had drafted the Will on the instructions of Late Faiz Murtaza Ali, during his lifetime. Petitioners Mukesh Sood and Pankaj Kumar Verma are merely witnesses and they do not derive any benefit under the Will in respect of any of the movable or immovable properties of Late Faiz Murtaza Ali.

It is further submitted that on 14.04.2013, when the Will was executed, Late Faiz Murtaza Ali was alive. He died on 20.06.2013. After his death, disputes have arisen between his wives and children with which petitioners have nothing to do. He further submits that similar complaint was filed by Sehar Ali in District Kangra, Himachal Pradesh, wherein it was specifically alleged that the Will in question was a forged and fabricated

document.

Learned APP for the State submits that signatures of Late Faiz Murtaza Ali on the Will have been compared with his other signatures and as per FSL signature on the Will does not match with the signature as appearing in other pages. The matter was inquired by the SSP of District Kangra, H.P., but no action was taken. On the basis of a similar complaint, action has been taken by the Delhi Police under the influence of complainants, even though it has no jurisdiction.

Keeping in view the above facts, it is ordered that in case of arrest, the petitioners be released on bail on their furnishing a personal bond in the sum of ₹25,000/- each with one surety each in the like amount to the satisfaction of Arresting Officer/Investigating Officer/SHO concerned.

The applications are disposed of.


A.K. PATHAK, J

JULY 26, 2016

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